



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Masayuki HATA, et al. : Confirmation Number: 1109
Application No.: 10/766,031 : Group Art Unit: 2815
Filed: January 29, 2004 : Examiner: LANDAU, MATTHEW C
For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

REQUEST TO CONSIDER REFERENCES AFTER CLOSE OF PROSECUTION AND
BEFORE PAYMENT OF ISSUE FEE

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear

among the "References Cited" on any patent to issue therefrom. Please charge the processing fee under 1.17(p) of **\$180.00** to Deposit Account .

CERTIFICATION PARAGRAPH

The undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement as described in 37 CFR 1.97(e)(1).

The reference was cited in a Japanese Office Action and its relevance discussed therein. A copy of the Japanese Office Action, together with an English language version thereof, is attached for the Examiner's information. Please note that the reference, **JP 11-233893**, cited in the Japanese Office Action was previously disclosed in an Information Disclosure Statement on April 19, 2007.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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